

**NEW UNITED STATES UTILITY PATENT APPLICATION**  
under 37 C.F.R. 1.53(b)

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Atty. Docket No. 05127-00229

<p>CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10: The undersigned hereby certifies that this United States Patent Application and all papers noted herein as being attached, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 today, <b>June 20, 2003</b>, and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>By <u>Charlene Lane</u></p> <p><b>Express Mail Label No.: EV323343466US</b></p>
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Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Enclosed herewith is a new patent application and the following papers:

Inventor(s) (or application identifier): Steve Diamond

Title of Invention: HEADWEAR WITH STRETCHABLE SWEATBAND

1. ☒ Specification 21 pages (including specification, claims, abstract) / 49 claims (4 independent)
2. ☒ Declaration/Power of Attorney is:
  - ☐ attached in the regular manner.
  - ☒ NOT included, but deferred under 37 C.F.R. § 1.53(f).
3. ☐ This Application has no drawings.
  - ☒ This Application has 4 distinct sheets of ☒ Formal ☐ Informal Drawings
4. ☐ Preliminary Amendment.
5. ☒ Information Disclosure Statement
  - ☒ Form 1449
  - ☒ A copy of each cited prior art reference
6. ☐ Assignment with Cover Sheet.
7. ☐ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s) (provisional and foreign applications):

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Country	Application Number	Date of Filing (day, month, year)

8. ☐ Priority document(s).
9. ☐ Small Entity Status is being hereby claimed.
10. ☐ Nucleotide and/or Amino Acid Sequence Submission.  
☐ Computer Readable Copy.  
☐ Paper Copy (identical to computer copy).  
☐ Statement verifying identity of above copies.
11. ☒ Other: Non-Publication Request and Application Data Sheet
12. Calculation of Fees:

FEES FOR	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))			\$750.00
Total Claims in Excess of 20 (37 C.F.R. § 1.16(c))	29	18.00	\$522.00
Independent Claims in Excess of 3 (37 C.F.R. § 1.16(b))	1	84.00	\$84.00
Multiple Dependent Claims (37 C.F.R. § 1.16(d))		280.00	\$0.00
Subtotal - Filing Fee Due			\$1,346.00
	MULTIPLY BY		
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)	0.50		\$0.00
<b>TOTAL FILING FEE DUE</b>			<b>\$0.00</b>
Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h))		40.00	\$0.00
<b>GRAND TOTAL DUE</b>			<b>\$1,356.00</b>

13. PAYMENT is:
- ☐ The Commissioner is authorized to debit the instant filing fee, in the amount of \$\_\_\_\_, and any other fees during the pendency of this application under 37 C.F.R. §§ 1.16, 1.17 and 1.18, to Deposit Account No. 19-0733. A duplicate copy of this letter is enclosed.
- ☒ not included, but deferred under 37 C.F.R. § 1.53(f)

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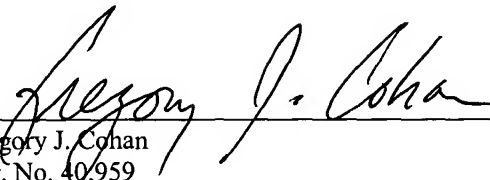
Atty. Docket No. 05127-00229

14. All correspondence for the attached application should be directed to:

**CUSTOMER NUMBER 22910**

Date: JUNE 20, 2003

By: \_\_\_\_\_

  
Gregory J. Conan  
Reg. No. 40,959

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Steve Diamond	)	Examiner: TBA
	)	
Serial No.: TBA	)	Group Art Unit: TBA
	)	
Filed: Herewith	)	
	)	
For: Headwear with Stretchable Sweatband	)	

NONPUBLICATION REQUEST UNDER 37 C.F.R. §1.213

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant certifies that the invention disclosed in the above-identified application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing. Applicant therefore requests that the above-identified application not be published under 35 U.S.C. §122(b).

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: June 20, 2003

By: Gregory J. Cohan  
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